

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Miten M. Marfatia and Ajay M. Rambhia  
APPLICATION NO.: 10/582,839  
FILING DATE: March 23, 2007  
TITLE: Apparatus for Migration and Conversion of Software Code From Any Source Platform to Any Target Platform  
EXAMINER: Unknown  
GROUP ART UNIT: 2193  
ATTY. DKT. NO.: 25086-11640

COMMISSIONER FOR PATENTS  
OFFICE OF INITIAL PATENT EXAMINATION  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

SIR:

Attached is a copy of the Official Filing Receipt. It contains the following errors:

1. The Attorney Docket No. is erroneously stated as 25068-11640. The correct Attorney Docket No. is 25086-11640, as evidenced by the Claim for Foreign Priority and first page of the Preliminary Amendment, copies of which are attached.

2. The Power of Attorney is erroneously stated as only Rajiv Patel—39327. The Power of Attorney reflecting Customer No. 758 was filed March 23, 2007, as evidenced by the Electronic Acknowledgement Receipt and Power of Attorney, copies of which are attached.

Please issue a corrected Filing Receipt rectifying these errors.

Respectfully submitted,  
MITEN M. MARFATIA ET AL.

Dated: August 10, 2007

By: Jie Zhang  
Jie Zhang, Reg. No. 60,242  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel.: (650) 335-7297  
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**COPY**

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPL NO	FILING OR 371(C) DATE	ART UNIT	FIL FEE RECD	ATTY.DOCKET NO	TOT CLMS	IND CLMS
10/582,839	03/23/2007	2193	515	25068-11640 25980-	6	1

CONFIRMATION NO. 4990

Rajiv P Patel  
 Silicon Valley Center  
 Fenwick & West  
 801 California Street  
 Mountain View, CA 94041

## FILING RECEIPT



\*OC000000025027358\*

Date Mailed: 07/27/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Miten M. Marfatia, Sunnyvale, CA;  
 Ajay M. Rambhia, Santa Clara, CA;

## Assignment For Published Patent Application

Evolveware, Inc. a corporation

## Power of Attorney:

Rajiv Patel--39327

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IN04/00385 12/10/2004

## Foreign Applications

INDIA 885/M/2003 12/15/2003

If Required, Foreign Filing License Granted: 07/25/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/582,839**

Projected Publication Date: 11/01/2007

**Non-Publication Request: No**

**Early Publication Request: No**

**\*\* SMALL ENTITY \*\***

**Title**

Apparatus for Migration and Conversion of Software Code from Any Source Platform to Any Target Platform

**Preliminary Class**

717

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

APPLICANTS:	Miten M. Marfatia and Ajay M. Rambhai
U.S. APPLICATION NO.:	Not Yet Known
35 U.S.C. §371 FILING DATE:	June 14, 2006
INTERNATIONAL APPLICATION NO.	PCT/IN2004/00385
INTERNATIONAL FILING DATE	December 10, 2004
TITLE:	An Apparatus for Migration and Conversion of Software Code From Any Source Platform to Any Target Platform
ATTY. DKT. NO.:	25086-11640

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Signature:

Typed or Printed Name:	Rajiv P. Patel	Dated:	June 14, 2006
Express Mail Mailing Number (optional):	EV 442656955 US		

MAIL STOP PCT  
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**CLAIM FOR FOREIGN PRIORITY**

SIR:

Applicants hereby claim foreign priority under 35 U.S.C. §365(b) and 35 U.S.C. §119(a) from Indian Application No. 885/MUM/2003, filed on December 15, 2003.

Dated: June 14, 2006

By:

Respectfully submitted,  
Miten M. Marfatia et al.

Rajiv P. Patel, Reg. No 39, 327  
FENWICK & WEST LLP  
801 California Street  
Mountain View, CA 94041  
Tel.: (650) 335-7607  
Fax: (650) 938-5200

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

APPLICANTS: Miten M. Marfatia and Ajay H. Rambhia  
U.S. APPLICATION NO.: Not Yet Assigned  
35 U.S.C. §371 FILING DATE: June 14, 2006  
INTERNATIONAL APPLICATION NO. PCT/IN2004/000385  
INTERNATIONAL FILING DATE December 10, 2004  
TITLE: An Apparatus For Migration and Conversion of Software Code From Any Source Platform to any Target Platform  
ATTY. DKT. NO.: 25086-11640

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Signature:			
Typed Name:	Rajiv P. Patel, Reg. No. 39,327	Dated:	June 14, 2006
Express Mail Mailing Number (optional):	EV 442656955 US		

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ALEXANDRIA, VA 22313-1450

**PRELIMINARY AMENDMENT**

Sir:

Prior to examination of the above-identified patent application, please amend the above-referenced application as set forth below.

## Electronic Acknowledgement Receipt

EFS ID:	1616624
Application Number:	10582839
International Application Number:	
Confirmation Number:	4990
Title of Invention:	Apparatus for migration and conversion of software code from any source platform to any target platform
First Named Inventor/Applicant Name:	Miten M. Marfatia
Correspondence Address:	Rajiv P Patel Silicon Valley Center Fenwick & West 801 California Street Mountain View CA 94041 US - -
Filer:	Rajiv P. Patel
Filer Authorized By:	
Attorney Docket Number:	25068-1640
Receipt Date:	23-MAR-2007
Filing Date:	
Time Stamp:	01:07:52
Application Type:	U.S. National Stage under 35 USC 371

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part/.zip	Pages (if appl.)
1	Request for Corrected Filing Receipt	11640_Request_to_Correct_Atty_Docket_No.pdf	69088	no	3
<b>Warnings:</b>					
<b>Information:</b>					
2	Applicant Response to Pre-Exam Formalities Notice	11640_Response_to_Missing_Parts.pdf	71055	no	4
<b>Warnings:</b>					
<b>Information:</b>					
3	Oath or Declaration filed	11640_Declaration.pdf	346958	no	2
<b>Warnings:</b>					
<b>Information:</b>					
4	Power of Attorney	Evolveware_POA.pdf	49823	no	1
<b>Warnings:</b>					
<b>Information:</b>					
5	Assignee showing of ownership per 37 CFR 3.73(b).	11640_Statement_of_Ownership.pdf	94942	no	1
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>					631866
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b>New Applications Under 35 U.S.C. 111</b>  If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b>National Stage of an International Application under 35 U.S.C. 371</b>  If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b>New International Application Filed with the USPTO as a Receiving Office</b>  If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

## POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previously given powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

Practitioners associated with the Customer Number

758

**OR**

That I hereby instruct (below) one or more than ten patent practitioners (PPO) to be named. Their customer numbers may be used.

Customer No.

Registration No./Ref.

1

2

3

4

5

6

I hereby declare that the above practitioner(s) is/are authorized to file patent applications on my behalf in accordance with the provisions of 37 CFR 3.73(a), (b) and (c). I further declare that the above practitioner(s) is/are authorized to act on my behalf in accordance with 37 CFR 3.73(d).

Attestation Statement

Maria Marfatia  
EvolveWare, Inc.  
3375 Scott Blvd., Bltg. 330  
Santa Clara, CA 95054

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

### SIGNATURE of Assignee of Record

The following signature, position and title is supplied below to be authorized to act on behalf of the assignee.

Name:

Maria Marfatia

Signature:



Title:

Chief Executive Officer

Date:

3/8/07

Telephone:

408-590-7965

## **STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Miten Marfatia and Ajay Rambhia

Application No./Patent No.: 10/582,839 Filed/Issue Date: June 14, 2006

Entitled: Apparatus for Migration and Conversion of Software Code From Any Source Platform to Any Target Platform

Evolveware, Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_%  
in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventors of the patent application/patent identified above. The assignment was recorded  
in the United States Patent and Trademark Office at Reel 18854, Frame 118, or for which a copy  
thereof is attached and is concurrently submitted for recordation.

**OR**

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown  
below:

1. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached and is concurrently submitted for recordation.

2. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached and is concurrently submitted for recordation.

3. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached and is concurrently submitted for recordation.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original document) must be submitted to Assignment Division in accordance with 37  
CFR Part 3, if the assignment has not been recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

March 22, 2007

Date

Rajiv P. Patel, Reg. No. 39,327

Typed or printed name

(650) 335-7607

Telephone number

/Rajiv P. Patel/

Signature

Attorney for Assignee

Title